

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

IN RE ICONIX BRAND GROUP, INC.
SHAREHOLDER DERIVATIVE LITIGATION

Case No. 1:16-cv-2212 (PGG)

**PLAINTIFFS' NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE
AND [PROPOSED] ORDER**

Pursuant to Federal Rules of Civil Procedure 23.1(c) and 41(a)(1), and by and through counsel, Plaintiffs Patricia James and Jack Ruthazer hereby notice their dismissal of this action with prejudice. Notice of the voluntary dismissal to shareholders (Fed. R. Civ. P. 23.1(c)) is not required here because: (i) there has been no settlement or compromise of the action; (ii) there has been no collusion among the parties; (iii) neither Plaintiffs nor their counsel have received, or will receive, directly or indirectly, any consideration from Defendants for the dismissal; and (iv) the dismissal is with prejudice only as to the named Plaintiffs.

Dated: November 8, 2021

Respectfully submitted,

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Counsel for Plaintiff Jack Ruthazer

[PROPOSED] ORDER

SO ORDERED:

Honorable Paul G. Gardephe
United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on November 8, 2021, a true and correct copy of the attached Plaintiffs' Notice of Voluntary Dismissal With Prejudice and [Proposed] Order was served on all parties via the Court's CM/ECF system.

/s/ Beth A. Keller